



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND
WATERSHEDS

Re: Invitation for Consultation and Coordination on Oregon's updated Nonpoint Source (NPS) Management Program Plan

Dear Honorable Leader:

The U.S. Environmental Protection Agency is inviting consultation and coordination to federally-recognized tribal governments in Oregon on an upcoming EPA decision to be made under the Clean Water Act (CWA), specifically the decision to approve or disapprove Oregon's updated *Nonpoint Water Pollution Control Strategy*. If approved, this updated Strategy will guide future Clean Water Act (CWA) Section 319 funding decisions for Oregon's NPS program. The EPA invites you or your designated representative(s) to participate in this consultation and coordination process for this upcoming decision.

Background on State Nonpoint Source Management Program Plans

Oregon's written NPS Management Program Plan is the roadmap for all state NPS program activities. The EPA expects all states to review and, as appropriate, revise, and update their NPS management program plans every five years. These updates are vital to ensure that CWA Section 319 funding, technical support, and other resources are directed in an effective and efficient manner to support state efforts to address water quality issues. Section 319 funding supports a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific NPS implementation projects. See the enclosed fact sheet for additional information about NPS management program plans. For additional background information about the NPS program, please contact Martha Turvey who can be reached at (206) 553-1354 or via email at turvey.martha@epa.gov.

Updated NPS program plans are submitted by States to the EPA for approval. Oregon is holding a public comment period on its draft updated plan, 2014 Oregon Nonpoint Source Management Program Plan (Plan) between August 4 and September 2, 2014 and anticipates submitting the plan for the EPA's approval during Autumn 2014. The public notice and Plan can be found on the Oregon Department of Environmental Quality (DEQ's) webpage at <http://www.deq.state.or.us/wq/nonpoint/plan.htm> and Oregon's NPS Pollution Coordinator, Donald Yon, can be contacted for questions or additional information at yon.donald.r@deq.state.or.us or 503-229-6850.

Government to Government Consultation

The EPA recognizes its unique legal relationship with tribal governments as set forth in the United States Constitution, treaties, statutes, executive orders, and court decisions. The EPA's policy is to consult on a government-to-government basis with federally recognized tribal governments when the EPA actions and decisions may affect tribal interests. This consultation and coordination process will be conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm).

If you would like to consult on the EPA's upcoming decision on Oregon's updated Nonpoint

Source Management Program, please have your staff contact Martha Turvey at (206) 553-1354 or turvey.martha@epa.gov no later than August 27, 2014 to arrange a meeting or telephone call to be held no later than September 20, 2014.

Please provide the EPA with your Tribal Government's point of contact for arranging any upcoming consultations and/or any consultation policies or procedures that you may have regarding consultation with the EPA. If you have questions or concerns regarding this letter, please feel free to contact me at (206) 553-1855, or David Croxton, Manager for the Watershed Unit, at (206) 553-6694.

Sincerely,

Daniel D. Opalski
Director, Office of Water and Watersheds

Enclosure 1: Oregon Nonpoint Source Pollution Management Plan Fact Sheet